

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

HB 1500 - SB 1684

February 28, 2011

SUMMARY OF BILL: Classifies a traffic citation obtained from an unmanned traffic enforcement camera as a non-moving violation. Defines a “stop line” as a white line placed generally in conformance with the Manual on Uniform Traffic Control Devices (MUTCD). Prohibits the issuance of citations for failure to make a complete stop at a red signal before making a right turn unless evidence shows the cited vehicle with its front tire or tires before the stop line when the signal is red. Prohibits the issuance of more than one citation for each distinct offense. Prohibits the issuance of citations when the registration information of the vehicle for which a citation is issued is inconsistent with the evidence recorded by an enforcement camera. Prohibits enforcement cameras on public roads or highways within two miles of a reduction of speed 10 miles per hour or greater. Requires a Post-certified law enforcement officer to review the video evidence from the camera and the notice of citations be mailed within 10 business days after a violation has occurred. Requires all notices to include the assessed fine amount and additional fees or court costs due if the fine is not paid within 30 days or if the person is found guilty of the offense. Authorizes local governments to assess court costs and other fees if fines are not paid within 30 days. Requires local governing bodies, prior to implementation of any new unmanned traffic enforcement cameras, to conduct a traffic engineering study for the affected area. Establishes protocols for all cameras operating after July 1, 2011.

ESTIMATED FISCAL IMPACT:

Decrease State Revenue – \$8,000

Decrease Local Revenue – \$448,500

Increase Local Expenditures – Exceeds \$50,000/One-Time*

\$400,000/One-Time/Permissive

Assumptions:

- Evidence from enforcement cameras is currently reviewed by POST-certified officers.
- According to the Tennessee Association of Chiefs of Police, it is current practice to reject citations for right turn violations when there is no evidence indicating a vehicle has crossed a stop line after a traffic light has signaled red. Multiple citations are not issued for each distinct and separate offense. Citations are currently rejected when registration information captured by surveillance cameras does not match that of the cited vehicle.

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- According to a 2011 Fiscal Review Committee Survey, four local governments currently assess additional fees for citations issued by traffic surveillance cameras, including the \$13.75 litigation tax to the state and approximately \$75 in other fees to local governments. Additional fees are assessed on approximately 585 citations each month. State revenue is estimated to decrease by \$8,044 ($\13.75×585) and local revenue is estimated to decrease by \$43,875 ($585 \times \75).
- Local governments will experience an increase in expenditures estimated to exceed \$50,000 for installation of required signals, signs, and pavement markings.
- According to the Tennessee Association of Chiefs of Police, approximately 10 cameras statewide are placed on roads within two miles of a reduction of speed limits 10 miles per hour or greater.
- According to a 2011 Fiscal Review Committee Survey, the average monthly revenue generated per camera is \$3,371.54, resulting in a decrease to local government revenue of \$404,585 ($\$3,371.54 \times 10 \text{ cameras} \times 12 \text{ months}$).
- Requiring local governments to mail citations issued as a result of traffic enforcement cameras will not change current procedures and will not result in a significant impact to local government expenditures.
- The cost to conduct a traffic engineering study is unknown due to a number of variables but is estimated to be approximately \$100,000. Based on a 2011 Fiscal Review Committee Survey, eight municipal governments are considering the use of traffic enforcement cameras. Fifty percent of local governments considering the use of traffic surveillance cameras will conduct a traffic safety study resulting in a permissive one-time increase to local government expenditures of approximately \$400,000 ($\$100,000 \times 4 \text{ cities}$).

**Article II, Section 24 of the Tennessee Constitution provides that: No law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director

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